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*Attorneys for Defendant  
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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

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DVL, INC. and DVL KEARNY  
HOLDINGS, LLC,

Plaintiffs,

v.

CONGOLEUM CORPORATION and  
BATH IRON WORKS CORPORATION,

Defendants.

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Civil Action No. 17-4261 (KM) (JBC)

**NOTICE OF MOTION TO  
COMPEL PRODUCTION OF  
SETTLEMENT DOCUMENTS**

PLEASE TAKE NOTICE that on Monday, July 15, 2019, at 9:30 a.m. or as soon thereafter as counsel may be heard, Defendant Bath Iron Works Corporation (“BIW”) will move before the Honorable James B. Clark, III, U.S.M.J., for the entry of an order compelling Defendant Congoleum Corporation (“Congoleum”) to produce documents relating to settlements that

Congoleum reached with its insurers during its bankruptcy over a decade ago or, in the alternative, barring Congoleum from introducing extrinsic evidence at trial concerning those settlements.

PLEASE TAKE FURTHER NOTICE that in support of this motion, BIW will rely on the Declaration of George C. Jones, with exhibits, and the Brief submitted herewith. A proposed form of Order is also submitted.

Dated: June 21, 2019

/s/ George C. Jones

Thomas R. Curtin

George C. Jones

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